

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
May 14-18, 2001

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
5-11**	EX	75/542,603	Encompass Group, L.L.C.	Cissel Seeherman Hanak*	2(d)	Refusal Affirmed		"SPIRAL SOFT" [pillows for use in hospitality, institutional and medical facilities]	"SPIRAL LOFT" [pillows]	R. Wilson	No
5-11**	EX (R)	75/771,607	AtNoCost.Com	Hohein Walters* Bottorff	2(e)(1)	Request for Reconsideration Denied (Refusal Affirmed)		"ATNOCOST.COM" [gathering data regarding consumer goods over a worldwide computer network]		Billings	No
5-11**	EX	75/446,294	Direct Checks Unlimited, Inc.	Seeherman Hairston Holtzman*	2(e)(1)	Refusal Affirmed		"INSIGNIA" [bank checks, checkbook covers, address labels, accounting journals, bookkeeping journals, and other check-related parts thereof; mail order services featuring the above items; printing services, namely, printing of personalized checks and address labels]		Tingley	No
5-11**	EX	75/583,455	Expeditors Int'l. of Washington, Inc.	Cissel Holtzman* Drost	2(d)	Refusal Reversed		"TRADEWIN" (and design) [computer software for use by businesses in performing transactions in the field of import and export trade; business consultation services relating to the importing and exporting of goods, government trade regulations, in compliance with government import and export regulations]	"WINTRADE" [computer software and data bases for use in document processing and facilitating work flow in the fields of international business and financial transactions]	Smiga	No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

**Inadvertently omitted from Summary of Final Decisions May 7-11, 2001

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5-11**	EX	75/530,656	Maurice Sporting Goods, Inc.	Cissel Walters* Holtzman	2(d)	Refusal Reversed		"CRESCENT ARCHERY" [arrowheads]	"CRESCENT" and "CRESCENT" (in stylized lettering) [<i>both marks for</i> arrowhead, hunting knife, and hobby blades]	Stoides	No
5-15	EX	75/613,912	Petroleum Communications, Inc.	Simms Seeherman Drost*	2(e)(1)	Refusal Affirmed		"FIBERWEB" [providing telecommunications services in the oil and gas industry, namely, telephone communication, cellular telephone services and electronic paging]		Nadelman	No
5-16	EX	75/749,328	Randy Wolf	Chapman Bucher* Drost	2(d)	Refusal Affirmed		"TITAN CONVERTING EQUIPMENT" [machines, comprising slitter-rewinders, to convert, slit and rewind flexible packaging or coated papers to aid in the processing of products or packages, but not including machines used to convert, slit or rewind cardboard boxes or food]	"TITAN" [machines for making cardboard boxes, particularly machines for cutting, impressing, punching, notching, embossing and erasing paper and cardboard]	H. Oh	No
5-16	EX	75/500,807	Decker Mfg. Corp.	Hohein Chapman* Holtzman	2(d); whether applicant's mark is a "phantom" mark (i.e., whether the application is for more than one mark)	Refusal Affirmed (on both grounds)		"D____" [metal fasteners, namely, nuts and pipe plugs]	"D" [metal studs and nuts]	Bayat	No

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5-16	EX	75/516,756	The Yokohama Rubber Co., Ltd.	Seeherman Hairston Chapman*	2(d)	Refusal Reversed		"I/T" (and design) [tires for all vehicles]	"T510" [tires]	Stine	No
5-16	EX	75/443,473	Fruit of the Earth, Inc.	Hohein Chapman Wendel*	2(d); 2(e)(1)	Refusal Affirmed (on both grounds)		"MACRO EMULSION" [cosmetics, skin and hair care products and bath and bathing products, sun care products, namely, skin lotions, skin creams, after bath lotions, bath gels, shampoos, sun block preparations, sun screen preparations and sun tanning preparations]	"MINI-EMULSION" [cosmetics for hair use, namely, hair sprays, conditioners, lotions, creams and shampoos]	Mays	No
5-16	EX	75/585,779	Seaport Hotel, LP	Walters Wendel* Drost	2(e)(1)	Refusal Affirmed		"CHEFS IN SHORTS" [charitable fund raising; charitable food and beverage services, namely, preparation and providing food and beverages to donors of charitable funds]		Ayala	No
5-16	EX	75/156,429	Express Communications Supply, Inc.	Hohein Chapman Bucher*	2(d)	Refusal Reversed		"EXPRESS QUICK CABLES" [wiring harnesses of low voltage low amperage telephone wire for exclusive use in private business telephone equipment]	"QUICK-CABLE" [electrical cables, cable connectors, ground lugs, terminal clamps and tools sold therewith, and kits containing said cables, cable connectors, ground lugs, terminal clamps and tools therefor]	Crawford	No

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5-16	EX	75/578,506	Henry Co.	Hairston Bucher Drost*	2(d)	Refusal Affirmed		"FLASHMASTER" [asphalt-based roofing mastic for sealing flashing and patching roofs]	"MASTER FLASH" [non-metallic roof flashing, including a metal sheet portion]	W. Oh	No
5-16	EX	75/853,341	Clover Leaf Trading Co.	Hanak Wendel Drost*	2(d)	Refusal Affirmed		"GOLDEN LEAF BRAND" (and design incorporating Chinese characters) [Chinese food products, namely, Chinese style sausage with turkey and duck liver added]	"GOLD LEAF" [frying chicken parts]; "GOLD LEAF" (and design) [roasting chickens and frying chicken parts]	Hughitt	No
5-16	EX	75/415,276	Standard Plywoods	Seeherman Quinn* Walters	2(d)	Refusal Affirmed		"JACKSON PLANK" [wood flooring]	"JACKSON SQUARE" [wood flooring]	Alves	No
5-16	EX (R)	75/053,459	Briles Rivet Corp.	Walters* Chapman Bucher	de jure functionality	Request for Recon- sideration Denied (Refusal Affirmed)		configuration of a toroidal head of a rivet [rivets]		C. Smith	No
5-16	EX	75/673,724	Somnus Medical Tech- nologies, Inc.	Chapman Bucher Holtzman*	2(e)(1)	Refusal Reversed		"SMART RF" [medical devices, namely, radiofrequency electrosurgical generators and electrode handpieces for use therewith]		Horrall	No
5-18	EX	75/600,523	Genescreen, Inc.	Simms Seeherman* Wendel	2(d)	Refusal Affirmed		"SOFTOUCH" [laboratory sample collection system for DNA analysis, comprising sponge-tipped swab, plastic tube and cap, etc.; collecting, analyzing and laboratory testing of cell samples for DNA analysis]	"SOFT TOUCH" [lancet device for extracting blood for blood test]	Thompson	No

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5-18	EX	75/419,366	Matsushita Electric Corp. of America	Simms Cissel Rogers*	2(e)(1)	Refusal Affirmed		"PALMTHEATER" [portable digital video disc players]		Griffin	No
5-18	EX	75/564,084	HL USA, Inc.	Hohein* Walters Chapman	2(d)	Refusal Affirmed		"CHILI WORKS" (and design) [bicycle parts, namely, suspension forks]	"HOT CHILI" [bicycles and parts therefor]	Stine	No
5-18	EX	75/451,045	Micro Strategy Inc.	Chapman* Bucher (D) Holtzman	2(e)(1)	Refusal Reversed		"DSS BROADCASTER" [computer software for on-line analytical processing and data analysis, namely, processing and analyzing data for the purpose of delivering customized and personalized information to target recipients]		Chosid	No
5-18	EX	75/382,570	Lenore E. Perry	Quinn Hairston Bottorff*	2(e)(1)	Refusal Affirmed		"MINIBORE.COM" [providing general information concerning products and their selection and use in the field of boring tools for use with machine tools via a computer global network]		Lykos	No

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